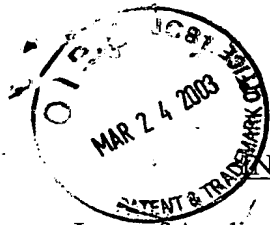


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ocket No: ACY33464-00

Patent
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In re of Application of: Jeremy Levin, et al.
Application No.: 10/055,502 Group No.: 1625
Filed: November 13, 2001 Examiner: D. Margaret Seaman
For: ALKYNYL CONTAINING HYDROXAMIC ACID COMPOUNDS
AS MATRIX METALLOPROTEINASE AND TACE INHIBITORS
Confirmation No.: 8971
Customer Number: 25291

Commissioner for Patents
Washington, DC 20231

RESPONSE

Sir:

This is in response to the Office Action dated September 24, 2002. Submitted herewith is a petition for extension of time. Please consider the following remarks.

REMARKS

The present invention relates to acetylenic hydroxamic acids which act as inhibitors of TNF- α converting enzyme (TACE). The compounds of the present invention are useful in disease conditions mediated by TNF- α , such as rheumatoid arthritis, osteoarthritis, and ulcerative colitis.

The Examiner has required a restriction under 35 USC 121 to one of the following groups:

Group I: Claims 1, 2, and 5-7, drawn to compounds, compositions and methods of treatment wherein Y is phenyl;

Group II: Claims 1, 2, and 5-7, drawn to compounds, compositions and methods of treatment wherein Y is heteroaryl; and

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU 238171209 US addressed to the Commissioner for Patents, Washington, DC 20231.

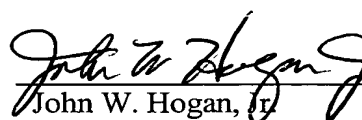
March 24, 2003
Date

John W. Hogan, Jr.

Group III: Claims 1, 2, and 5-7, drawn to compounds, compositions and methods of treatment wherein Y is aryl other than phenyl.

In accordance with 37 C.F.R. 1.143 the applicants provisionally elect Group II. Applicants respectfully request that the Examiner reconsider the restriction requirement. Applicants reserve the right to file a divisional application directed to the non-elected subject matter in the event the restriction is warranted.

Favorable treatment of the application is earnestly solicited.


John W. Hogan, Jr.

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